

## **Chapter 14.62 Site Plan Criteria.**

- 14.62.010 Purpose.**
- 14.62.020 Applicability.**
- 14.62.030 Site plan criteria.**
- 14.62.040 Conditions of approval.**
- 14.62.050 Duration of approval.**
- 14.62.060 Amendments to site plan and design approval.**
- 14.62.070 Final site plan permit.**

### **14.62.010 Purpose.**

- A. The purpose of this section is to establish a comprehensive site plan review process which ensures compliance with the adopted plans, policies, and ordinances of the City.
- B. It is also the intent of this section to provide for the examination of site and building development proposals with respect to overall design principles and to provide means for guiding development in a logical, safe, attractive, and expedient manner.

### **14.62.020 Applicability.**

- A. New construction and/or development of a building, structure, or improvement shall be required to go through the Site Plan Approval process consistent with DMC 14.34. Design Guidelines unless exempted as follows:
  - 1. Construction of a public park where new recreation area is less than ½ acre;
  - 2. Construction of a detached single-family residential dwelling unit on a legal lot of record;
  - 3. Construction of a two-family residential dwelling unit on a legal lot of record;
  - 4. Installation of mobile home park dwelling units in an approved mobile home park;
  - 5. Construction and/or maintenance of public road improvements by a City department;
  - 6. Maintenance of public road improvements by other government agencies;
  - 7. Accessory buildings, improvements or structures related to a single-family or two-family residential dwelling unit;
  - 8. Fences, decks, and retaining walls (unless retaining wall associated with site plan approval).
  - 9. Other minor land use improvements as determined by the Director.
- B. Expansion or remodel of any building or other structure consistent with DMC 14.34 Design Guidelines unless as exempted as follows:
  - 1. Permits for the expansion of dwelling units on sites zoned R4 – R8, or for the addition of an accessory dwelling unit as allowed by this title, are exempt from this chapter.
  - 2. Relocation of a building, except a single-family house in a single-family zone, are exempt from this chapter.
- C. Site plan and design review approval shall be required prior to commencement of a change in the land use occurring on a site in any of the following circumstances:
  - 1. Nonconforming site. The site of the land use has not been improved in conformance with the applicable City standards at the time the change in land use occurs.
  - 2. Deficient Off-Site Improvements. Sidewalks, storm drainage, or other required improvements adjacent to the site have not been constructed in accordance with this Title and other applicable City standards at the time the change in the land use occurs.

- D. Buildings, structures and improvements that are exempt from the Site Plan Approval process shall be required to meet the site plan criteria as set out in this chapter and all other applicable provisions of this Title as approved by the Director.

**14.62.030 Site plan criteria.**

- A. Consistency. Site plans are reviewed by the City to determine consistency between the proposed project and the applicable regulations and Comprehensive Plan provisions.
  - 1. A proposed project's consistency with the City's development regulations shall be determined by consideration of:
    - a. The type of land use;
    - b. The level of development, such as units per acre or other measures of density;
    - c. Availability of infrastructure, including public facilities and services needed to serve the development; and
    - d. The character of the development, including compliance with DMC 14.34, Design Guidelines, DMC 14.38, Landscaping Standards, and all other provisions of this Title.
  - 2. All buildings and improvements constructed in accordance with site plan/design review approvals are required to be in full compliance with building and construction permits and the specific location, size, and design of public facilities, which shall be determined during building permit review and construction drawing review. Building permits and construction drawings shall comply with the approved site plan.
- B. Burden and Nature of Proof. The burden of proof for demonstrating that the application is consistent with the applicable regulations is on the proponent. The project permit application must be supported by proof that it conforms to the applicable elements of this Title and the Comprehensive Plan, and that any significant adverse environmental impacts have been adequately addressed.
- C. Lot and block layouts.
  - 1. Blocks shall have sufficient width to provide for a maximum of two tiers of lots of appropriate depths. Exceptions shall be permitted in blocks adjacent to major streets, waterways, or involving unique site conditions that make this requirement impractical.
  - 2. Lot lines shall be created within a proposed site plan or subdivision shall comply with the following requirements.
    - a. Every lot shall have a minimum frontage consistent with the zoning provisions of this Title and the Duvall Development Design Standards on a public or privately dedicated street or access tract as approved by the Public Works Director.
    - b. A repair and maintenance access shall be provided to all lots by site plan or plat easement and property deed. Such required easements shall be shown on the face of the site plan or plat.
    - c. Lot lines shall be at right angles to street lines or radial to curvilinear streets unless a variation will result in a better street or lot plan.
    - d. Dimensions of corner lots shall be large enough to allow for front yard setbacks off of both streets.
    - e. Corner lots shall be graded with limited landscaping at corners to provide sufficient sight clearance at intersections.
  - 3. Buildings shall not be located across a lot line.
  - 4. Improvements associated with, and integral to, a building and/or improvement, shall be located on the same lot as the building and/or improvement.
- D. Road and street access elements.

The location, design and construction of all streets shall comply with the following requirements:

1. Right-of-way dedications.

- a. All site plans and subdivisions shall provide direct access to at least one existing improved and publicly dedicated street. The internal vehicular network of the subdivision can include alleys and private tracts consistent with the Duvall Development Design Standards.
- b. When a proposed site plan or subdivision is abutting an existing street(s) with a right-of-way of lesser width than specified by City ordinances or abutting a roadway(s) that is not to City street standards, the applicant may be required as a condition of approval to deed additional right-of-way to the design specifications of the City Engineer. The City may require dedication of right-of-way in excess of standards in the following cases:
  - i. Where additional width is necessary to maintain continuity with the adjoining rights-of-way;
  - ii. Where additional width is necessary to maintain alignment with adjoining streets and sidewalk improvements; and
  - iii. Where additional width is necessary to insure that all streets intersect at right angles.
- c. Dead-end streets shall be used on local streets only and shall terminate in a cul-de-sac. Streets which dead-end, and which would normally be continued if the adjacent property were developed, shall be shown as temporary turnarounds. The land beyond the normal right-of-way for such streets shall revert back to the abutting property owners when the street is continued. Where cul-de-sacs are permitted, pedestrian connections shall be provided to adjacent streets.

2. Street Layouts.

- a. The street within and adjacent to a site plan or subdivision shall be classified and designed to comply with the Comprehensive Plan and major street map of the City. Major streets shall refer to designated arterial and collector streets and minor streets shall refer to local streets and cul-de-sacs.
- b. Proposed streets and utilities should extend to the boundary lines of the proposed site plan or subdivision in order to provide for the future development of adjacent tracts unless prevented by natural or man-made conditions or unless such extension is determined to be unnecessary or undesirable by the decision maker.

3. Street Signage.

- a. Public street names for streets located on the City grid as determined by the building official, shall conform to the City's street numbering system.
- b. Public and private street names for streets not located on the City grid shall be determined by the Building Department. Such names shall be taken from a list of historical names prepared by the Duvall Historical Society and updated from time to time.
- c. Signs shall be installed as designated by the Director of Public Works before final plat approval.
- d. Street name determination and addressing shall also be consistent with DMC 8.06.

E. Site Plan Elements.

1. Grading and Storm Drainage.

- a. Structures, roadways and other site improvements should be designed to blend with the natural topography with the minimum amount of site

disturbance and grade changes. Retaining walls shall only be constructed in accordance with DMC 14.34, Design Standards – General.

- b. Grading shown on approved construction drawings shall be completed prior to final plat acceptance and strictly adhered to during development. Grading plan shall be within 1 foot of final grade.

2. Parking.

Applicants shall adhere to these requirements as well as those listed in DMC 14.44, Parking Standards and Design, DMC 14.34, Design Guidelines, Comprehensive Plan and other city policies.

- a. Parking areas or lots shall be configured so as not to functionally and visually intrude onto public sidewalks or road corridors.
- b. Parking lot aisles should be aligned perpendicular to commercial, retail and office building entries to provide protected walking spaces and visual focus on the entries.
- c. Where feasible, parking lots should be varied in grade, bermed, and/or differentiated with planting materials to reduce the visible extent of continuous surface.
- d. Permanent parking areas shall be paved and drained. Landscape areas shall be protected with curbs, wheel stops or other design methods to prevent damage from parking vehicles.

**14.62.040 Conditions of approval.**

- A. Any approval shall be conditioned upon the applicant agreeing to complete all required improvements prior to issuance of a final site plan permit. Such permit shall be required prior to the issuance of a temporary or permanent certificate of occupancy; provided, however, that the legislative body shall not as a condition to the approval of any site plan and design require a release from damages to be procured from other property owners.
- B. The dedication of land to any public body, provisions of public improvements to serve the site, and/or impact fees imposed under state law, may be required as a condition of site plan and design approval; provided, however, that no dedication, provision of public improvements, or impact fees imposed under state law shall be allowed that constitutes an unconstitutional taking of private property. Dedications shall be clearly shown on the final plan and shall be recorded prior to final site plan permit issuance.
- C. The construction of protective improvements may be required as a condition of approval and such improvements shall be noted on the final plan.

**14.62.050 Duration of approval.**

Approval or approval with conditions of a site plan shall be effective for a period not to exceed 2 years from the date of the preliminary approval. Provided, however, that an applicant who filed a written request with the Director for site plan approval at least 30 days before the expiration of this 2 year period shall be granted a 1 year extension upon a showing that the applicant has attempted in good faith to submit final plans for the issuance of a building permit within the 2 year period.

**14.62.060 Amendments to site plan and design approval.**

- A. The Director may approve a modification to the site plan approval for the proposed development if:
  - 1. The need for the modification was not known and could not reasonably have been known before the site plan approval was granted:
  - 2. The modification is minor and will not, in any substantial way, change the proposed development or violate any requirement imposed by the Hearing Examiner; and

3. The development that will result from the modification will be consistent with this Title and the Duvall Comprehensive Plan.
- B. Any modification, other than as specified in DMC 14.62.060.A., and as determined by the Director, must be reviewed and processed as a major amendment to a site plan approval in accordance with DMC 14.08, Permit Processing.

**14.62.070 Final site plan permit.**

The purpose of this section is to ensure that all required improvements are in place prior to the occupancy of a building.

- A. All developments that require a site plan shall be required to obtain a final site plan permit prior to issuance of a certificate of temporary or permanent building occupancy.
- B. The applicant shall apply for the permit after all site improvements have been completed in accordance with the approved building/engineering plans.
- C. The City shall not approve a final site plan permit until all items shown on the building/engineering plans are inspected by the City and completed in accordance with City standards; and it is documented that all conditions of approval have been met. At the City's sole discretion, some minor items may be completed after the final plan permit is issued. The applicant must provide a financial guarantee or bond of 150 percent of the estimated costs for those items before issuance of the final site plan permit. The estimated cost for completion of those items will be provided by the applicant and approved by the City. All items must be completed within 6 months of the final site plan permit issuance. If bonded items are not completed in a timely manner, the City can call the financial guarantee or bond and complete the work.